

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v)	CRIMINAL ACTION NO
)	2:07cr26-WKW
FREDERICK A. SMITH)	

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on April 2, 2007, before the undersigned Magistrate Judge. Present at this conference were Attorney Kevin L. Butler, counsel for the defendant, and Assistant United States Attorney, Tommie Brown Hardwick, counsel for the government.

As a result of the conference, it is

ORDERED as follows:

1. Jury selection is set for **April 23, 2007**. The trial of this case is set for the trial term commencing on **April 23, 2007**, before **United States District Judge William Keith Watkins** and is expected to last one day for trial.

2. Currently pending is a Motion to Suppress (Doc. #12).

3. Proposed voir dire questions shall be filed on or before **April 16, 2007**. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All motions in limine shall be filed on or before **April 16, 2007**. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. Proposed jury instructions shall be filed on or before **April 16, 2007** .

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before noon on **April 11, 2007**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **April 23, 2007**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **April 23, 2007**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 5th day of April, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE